

REMARKS/ARGUMENTS

**1) Status of the claims.**

Claims 1, 7 and 18-20 are amended; Claims 9-11 and 14-15 are accorded withdrawn status; Claims 1-20 are pending.

**2) Support for amended claims.**

Amended Claim 1 is supported, for example, at previously presented Claim 1 and at specification page 7, paragraph 29, in combination with M.P.E.P. § 2173.05(i) that describes, in part, “[i]f alternative elements are positively recited in the specification, they may be explicitly excluded in the claims.” In the present case, a “fragrant material” is a positively recited alternative element, and thus, under § 2173.05(i), may be excluded from the claims.

Amended Claim 7 is supported, for example, at previously presented Claim 7. Amended Claims 18-20 are supported, respectively, at previously presented Claims 18-20 in combination with previously presented Claim 1.

No new matter is added.

**3) The objection to Claim 7 is traversed** (Office Action page 3).

Claim 7 is amended to add the term “claim,” thereby mooting the claim objection. Withdrawal of the objection is requested.

**4) The indefiniteness rejection of Claims 18-20 is traversed** (Office Action page 3).

The indefiniteness rejection of Claims 18-20 is mooted by the amendment to these claims replacing the term “water-soluble organic medium” with the term “oily material.” Wax, animal fat, and Vaseline are all oily materials. Withdrawal of the rejection is requested.

**5) The obviousness rejection of Claims 1-8, 12-13, and 16-17 as being unpatentable in view of Cruetz, Aldcroft, and Sop as evidenced by MSN Encarta dictionary for powder and the Compact Oxford English Dictionary for granule is traversed** (Office Action page 3).

Present Claim 1 is the sole independent claim. Present Claim 1 is drawn to a composition consisting essentially of an oily material, which is solid at room temperature, and

a water-soluble organic medium;

wherein the composition dissolves or disperses in water, and

wherein the composition does not comprise a fragrant material.

Creutz is drawn to “[a] composition for the controlled release of fragrance [that] comprises a blend of a fragrance composition and a waxy hydrophobic material. The [waxy] hydrophobic material is a mixture of a wax and a liquid silicone compatible with the wax” (see the Abstract of Creutz). At paragraph 11, Creutz describes, in part, “the present invention [is] a composition for controlled release of a fragrance comprising a blend of a fragrance composition and a waxy hydrophobic material...” Thus, Creutz requires a fragrance, and amended Claim 1 excludes a fragrance (e.g., excludes a fragrant material). Accordingly, Creutz does not describe or suggest every feature of present Claim 1, and in fact, “teaches away” from at least the feature of present Claim 1 and the claims depending therefrom that “the composition does not comprise a fragrant material.” Aldcroft, Sop MSN Encarta dictionary, and the Compact Oxford English Dictionary do not remedy the deficiency of Creutz. Withdrawal of the obviousness rejection is requested.

#### **6) Conclusion.**

Because the claims are deemed to be in condition for allowance, Applicants request rejoinder of the withdrawn process claims under M.P.E.P. § 821.04.

Applicants submit the present application is now in condition for allowance. Early notification to this effect is earnestly solicited.

Respectfully submitted,

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